

## REMARKS

The present amendment is submitted in response to the Office Action dated July 1, 2004, which set a three-month period for response, making this amendment due by October 1, 2004.

Claims 1-17 are pending in this application.

In the Office Action, the specification was objected to for various informalities. Claims 1-4, 7, and 17 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,958,295 to Green. Claims 1, 2, 5-10, 13, and 17 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,636,583 to Rosen. Claims 1, 7-13, and 17 were rejected under 35 U.S.C. 102(b) as being anticipated by GB Patent No. 1,222,648 to Rickett. Claims 1, 7-10, 13, 14, 15, and 17 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,084,372 to Krohm.

The Applicants note with appreciation the allowance of claim 16 if rewritten in independent form to include the limitations of the base claim and any intervening claims.

In the present amendment, allowable claim 16 has been rewritten in independent form to include the features of claim 1 and intervening claim 9.

The specification has been amended to add standard sectional headings and to delete reference to the claims.

The claims have been amended generally to adopt standard U.S. claim format.

Claim 1 has been amended to include the feature that “the wiper lip is tiltable in at least two drag positions originating from the groove-like constrictions (106)”.

The regions between the groove-like constrictions form tilt steps or stages. In contrast, the groove-like constrictions of the cited art form receiving grooves for the elongated rails of the support element. The present invention address the underlying problem of improving the aerodynamics of the wiper blade by reducing its structural height by providing that the tilt steps or stages formed by the groove-like constrictions are consolidated with the constrictions forming the receiving grooves for the elongated rails of the support element. The tilting movement takes place, therefore, directly between the longitudinal edges of the elongated rails and **NOT** beneath the elongated rails, as in the cited art.

None of the cited art shows a wiper blade, in which the support element merely comprises two elongated rails, which come to rest in the groove-like constrictions that make possible the tilting movement.

Because amended claim 1 recites features neither shown nor suggested by the cited references, the rejections under Section 102 must be withdrawn. Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, *arranged as in the claim*. ***Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.***, 221 USPQ 481, 485 (Fed. Cir. 1984) (emphasis added). A prior art reference anticipates a claim only if the reference discloses every limitation of the claim. Absence from the reference

of any claimed element negates anticipation. *Row v. Dror*, 42 USPQ 2d 1550, 1553 (Fed. Cir. 1997) (quoting *Kloster Speedsteel AB v. Crucible, Inc.*, 230 USPQ 81, 84 (Fed. Cir. 1986)).

For the reasons set forth above, the Applicants respectfully submit that claims 1-18 are patentable over the cited art. The Applicants further request withdrawal of the rejection under 35 U.S.C. 102 and reconsideration of the claims as herein amended.

In light of the foregoing amendments and arguments in support of patentability, the Applicants respectfully submit that this application stands in condition for allowance. Action to this end is courteously solicited.

Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,



Michael J. Striker  
Attorney for Applicant  
Reg. No.: 27233  
103 East Neck Road  
Huntington, New York 11743  
631-549-4700